

# **Exhibit A**

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF ARIZONA  
3

4  
5 In Re: Bard IVC Filters ) MD-15-02641-PHX-DGC  
6 Products Liability Litigation )  
7 ) Phoenix, Arizona  
8 ) May 18, 2018  
9 Doris Jones, an individual, ) 8:30 a.m.  
10 )  
11 Plaintiff, )  
12 vs. ) CV 16-00782-PHX-DGC  
13 )  
14 C.R. Bard, Inc., a New )  
15 Jersey corporation; and Bard )  
16 Peripheral Vascular, Inc., an )  
17 Arizona corporation, )  
18 )  
19 Defendants. )  
20 )  
21

22 BEFORE: THE HONORABLE DAVID G. CAMPBELL, JUDGE

23 REPORTER'S TRANSCRIPT OF PROCEEDINGS

24 (Jury Trial - Day 4 - A.M. Session)  
25 (Pages 720 through 861, inclusive.)

26 Official Court Reporter:  
27 Laurie A. Adams, RMR, CRR  
28 Sandra Day O'Connor U.S. Courthouse, Suite 312  
29 401 West Washington Street, Spc 43  
30 Phoenix, Arizona 85003-2151  
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32 Proceedings Reported by Stenographic Court Reporter  
33 Transcript Prepared by Computer-Aided Transcription

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1 Jones had in her. The next iteration was the Meridian Filter,  
2 and then the final iteration is the Denali Filter. Six  
3 different filters.

4 Q. And I want to focus on the G2, G2X, and Eclipse. How were  
5 those distinguished, or maybe a better way to ask it is, how  
6 was the Eclipse different than the G2X and G2?

09:23AM

7 A. How is the Eclipse? The Eclipse has a electropolishing to  
8 the surface of the G2X. It's the same dimensions, same wire  
9 width, same -- basically the same filter except it's  
10 electropolished. And that was done in an effort to help  
11 prevent fractures.

09:23AM

12 Q. Is the Eclipse functionally, from your perspective as a  
13 surgeon who implants the filters, the same as a G2?

14 A. Yes, it is.

15 Q. What filters do you currently use?

09:23AM

16 A. I use the Argon Option Filter.

17 Q. Have you, in the past, used other filters besides Bard  
18 filters?

19 A. Yes, I have used --

20 Q. And the Argon?

09:24AM

21 A. I have used the Argon. I have used the Trapease, OptEase,  
22 Cook, Celect Filters.

23 Q. Do you currently use Bard filters?

24 A. I do not use Bard filters.

25 Q. Why not?

09:24AM

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1 A. I do not use Bard filters after I had an opportunity to see  
2 the internal documents that Bard had showing that there have  
3 been problems with their filters over a long period of time.  
4 And those problems were not relayed to physicians in their  
5 marketing material or through their representatives so that we  
6 could talk to our patients and give them an honest estimate of  
7 what their risk factors were when they had these filters  
8 placed.

09:24AM

9 I personally felt betrayed by that. I was a loyal  
10 user of Bard at the time. Our interventional radiologist in my  
11 hospital stopped using the Bard device, but I stuck with them.  
12 And when I had an opportunity to kind of see the internal  
13 documents and see that there were problems known for a long  
14 time, and that when these problems were dealt with, they were  
15 never studied in humans. They were just sold. They were put  
16 back into humans to see how they did without any real testing  
17 with them. And I have a moral and ethical issue with that.

09:25AM

09:25AM

18 Q. And in addition to implanting IVC filters, have you removed  
19 them?

20 A. I have removed them, yes.

09:25AM

21 Q. In private practice, have you been provided with brochures  
22 on the Bard IVC filters?

23 A. Yes, we have.

24 Q. Have you seen the brochure for the Eclipse permanent  
25 filter?

09:26AM